REMARKS

This Application has been carefully reviewed in light of the Office Action mailed June 15, 2004. At the time of the Office Action, Claims 1-19 were pending in this Application. Claims 1-19 were rejected. Claims 1-3, 11, 13 and 14 have been amended to further define various features of Applicants' invention. Applicants respectfully request reconsideration and favorable action in this case.

Claim Objections

Claims 2 and 13 were objected to due to informalities. Applicants submit the Claims 2 and 13 have been appropriately amended to overcome these rejections.

Rejections under 35 U.S.C. §112

Claims 1-19 were rejected by the Examiner under 35 U.S.C. §112, second paragraph, as being indefinite and failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention. Applicants amend Independent Claims 1, 2, 11 and 13 to overcome these rejections and respectfully request the withdrawal of the rejections to Claims 1-19 under 35 U.S.C. §112.

Rejections under 35 U.S.C. §103

Claims 1-6, 8, 10-11, 14-15, and 17-19 were rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent 6,389,487 issued to Brandon A. Grooters ("Grooters"). Applicants respectfully traverse.

Grooters is not analogous art with respect to the present invention. "In order to rely on a reference as a basis for rejection of an applicant's invention, the reference must either be in the field of applicant's endeavor or, if not, then be reasonably pertinent to the particular problem with which the inventor was concerned." MPEP 2141.01(a) and *In re Oetiker*, 977 F.2d 1443, 1446 (Fed. Cir. 1992). The Grooters reference is related to "computer controlled video devices"

(col. 1, lines 16-19) such as display devices including "a cathode ray-tube (CRT) type display such as a monitor or television, or may comprise alternative type of display technologies such as a liquid crystal display (LCD), a light-emitting diode (LED) display, or a gas or plasma display" (col. 3, lines 41-46). More specifically, the invention described by Grooters relates primarily to a multiplexing device for providing access to a video display by multiple applications associated with a computer system. See col. 1, lines 49-59. In contrast, the present application is directed to video network devices for facilitating video conference calls such as video end points, multi-call units (MCUs) and gateways. Accordingly, Grooters cannot be looked to as analogous art because the system for multiplexing information to a mulitplexing device described in Grooters is not analogous to the video network and video network devices used for facilitating video conference calls of the present invention.

Additionally, Grooters cannot render the present invention obvious because Grooters does not disclose, teach, or suggests all of the claim limitations of the present invention (See, MPEP § 2143). As described above, Grooters teach a device for multiplexing multiple signals sent to a display device. Grooters provides no teaching, suggestion or disclosure of the video network devices recited in Independent Claims 1 and 11.

Additionally, Examiner has cited to Grooters col. 2, lines 4-10 and col. 5, lines 24-30 to argue that Grooters teaches "one or more management applications operable to manage a device represented as an application object." Applicants respectfully submit that the cited portion of Grooters cited by Examiner relate to a multiplexing device that interfaces directly with applications that are requiring access to a video display. These portions of Grooters do not disclose, teach or suggest managing a video network device as an application object as recited in Independent Claims 1 and 11.

Accordingly, Grooters cannot make obvious Independent Claims 1 and 11 or Claims 2-6, 8, 10, 14-15, and 17-19 which depend therefrom. Applicants request that Examiner withdraw the §103 rejection to Claims 1-6, 8, 10-11, 14-15, and 17-19.

Claims 7, 9, 12, 13, and 16 were rejected under 35 U.S.C. §103(a) as being unpatentable over Grooters in view of U.S. Patent 6,272,127 issued to Michael E. Golden et al. ("Golden"). Applicants respectfully traverse and submit that Claims 7, 9, 12, 13 and 16 depend from Independent Claims 1 and 11 which have been placed in condition for allowance. Accordingly, the combination of Grooters and Golden cannot render obvious Claims 7, 9, 12, 13 and 16.

CONCLUSION

Applicants have now made an earnest effort to place this case in condition for allowance in light of the amendments and remarks set forth above. Applicants respectfully request reconsideration of Claims 1-19 as amended.

Applicants believe there are no fees due at this time, however, the Commissioner is hereby authorized to charge any fees to Deposit Account No. 50-2148 of Baker Botts L.L.P.

If there are any matters concerning this Application that may be cleared up in a telephone conversation, please contact Applicants' attorney at 512.322.2548.

Respectfully submitted,

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